

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

AF
PT1640

**NOTICE OF APPEAL AND
REQUEST FOR EXTENSION OF
TIME
PURSUANT TO 37 C.F.R. §
1.136(a)**

Docket Number:
11245/46604

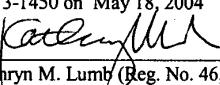
Application Number 09/840,146	Filing Date April 24, 2001	Examiner Anne L. Holleran	Art Unit 1642	Confirmation No. 5311
Invention Title TREATMENT OF REFRACTORY HUMAN TUMORS WITH EPIDERMAL GROWTH FACTOR RECEPTOR ANTAGONISTS		Inventor(s) Harlan W. WAKSAL		

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 18, 2004

By:


Kathryn M. Lumb (Reg. No. 46,885)

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Office Action dated November 18, 2003 rejecting claims 36-47, 51-58, 73-76 and 126-138.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.191 Notice of Appeal fee of \$330.00 to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**. The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. **11-0600**.

Applicants respectfully request a **three-month** extension of time in which to respond to the Office Action mailed November 18, 2003, for which a three month response period expiring on February 18, 2004 was set. The three-month extended period expires on May 18, 2004. The Commissioner is hereby authorized to charge the **three-month extension fee of \$950.00**, and any additional fees that may be required, or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**. A duplicate copy of this form is enclosed for charging purposes.

Dated: May 18, 2004

By:


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